

FW 2.5:T67

CLOSED STACKS

Gov Docs

MODEL TRAFFIC ORDINANCE

PUBLIC ROADS ADMINISTRATION
FEDERAL WORKS AGENCY

FW 2.5:T67



3 1706 60148438 4

MODEL TRAFFIC ORDINANCE

As revised and approved by the National Conference on Street
and Highway Safety, 1946

PUBLISHED UNDER AUTHORITY CONTAINED IN THE FEDERAL HIGHWAY ACT
(42 STAT. 212) APPROVED NOVEMBER 9, 1921

PUBLIC ROADS ADMINISTRATION
FEDERAL WORKS AGENCY



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1946

For sale by the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.
Price 10 cents

FOREWORD

Uniformity in traffic laws and ordinances is generally recognized as highly desirable in the interests of safety and the expediting of traffic. Standards for these purposes developed by the National Conference on Street and Highway Safety have received widespread acceptance.

The fundamentals of traffic regulation, including registration, certification of title, and equipment requirements of vehicles, licensing of drivers, safety responsibility, and basic rules of the road, are embodied in the Uniform Vehicle Code of five acts for adoption by States. Provisions to cover local needs in harmony with the State law are contained in the Model Traffic Ordinance for adoption by municipalities. The code is already in effect in whole or in part in most of the States, and a large number of communities have adopted the ordinance.

These standards have been reviewed at intervals of 4 to 6 years to take account of new developments and accumulated experience. The code was revised in 1944. The ordinance, made consistent with the recent changes in the code and substantially revised in form, is presented herein.

For simplicity in the new ordinance the former three parts, covering respectively traffic regulations, administrative powers and duties, and State law provisions which may be desirable for repetition in the ordinance, have been consolidated.

The desirability is emphasized of giving traffic authorities considerable latitude in establishing traffic control. Experience has shown that where too many details must be considered by the city council valuable time of that body is consumed and its members are forced to pass upon technical questions outside of their experience. Furthermore there is a continuous lag in the meeting of new conditions and needs.

It is recognized that in some communities in States with laws not fully in accord with the Uniform Vehicle Code certain provisions of the Model Ordinance will for the present have to be omitted or modified and that in some communities the ordinance will need adjustment to meet constitutional or enforcement requirements.

In addition to the Uniform Vehicle Code and the Model Traffic Ordinance the National Conference on Street and Highway Safety recommends a third set of standards—the Manual on Uniform Traffic-Control Devices developed jointly by the American Association of State Highway Officials, the Institute of Traffic Engineers, and the National Conference.

NOTE.—The following organizations have cooperated in conducting the Conference: Public Roads Administration, Federal Works Agency; American Association of Motor Vehicle Administrators; American Automobile Association; American Mutual Alliance; American Transit Association; Association of American Railroads; Automobile Manufacturers Association; Chamber of Commerce of the United States; National Conservation Bureau; and National Safety Council. The Automobile Club of Southern California has made substantial contributions to the staff work on the Uniform Vehicle Code and Model Traffic Ordinance.

MODEL TRAFFIC ORDINANCE

CONTENTS

ARTICLE I.—WORDS AND PHRASES DEFINED

	Page
Subdivision I. Vehicles, traffic, etc., defined (Secs. 2-8).....	1
Subdivision II. Persons, etc., defined (Secs. 9-10).....	2
Subdivision III. Streets, etc., defined (Secs. 11-18).....	2

ARTICLE II.—TRAFFIC ADMINISTRATION

Section 19. Police administration.....	4
Section 20. Duty of traffic division.....	4
Section 21. Records of traffic violations.....	4
Section 22. Traffic division to investigate accidents.....	5
Section 23. Traffic accident studies.....	5
Section 24. Traffic accident reports.....	5
Section 25. Drivers files to be maintained.....	5
Section 26. Traffic division to submit annual traffic-safety report.....	5
Section 27. Traffic division to designate method of identifying funeral processions.....	5
Section 28. City traffic engineer.....	6
Section 29. Emergency and experimental regulations.....	6
Section 30. Traffic commission, its powers and duties.....	6

ARTICLE III.—ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Section 31. Authority of police and fire department officials.....	7
Section 32. Required obedience to traffic ordinance.....	7
Section 33. Obedience to police and fire department officials.....	7
Section 34. Persons propelling push carts or riding animals to obey traffic regulations.....	7
Section 35. Use of coasters, roller skates, and similar devices restricted....	8
Section 36. Public employees to obey traffic regulations.....	8
Section 37. Exemptions to authorized emergency vehicles.....	8
Section 38. Operation of vehicles and street cars on approach of authorized emergency vehicles.....	8
Section 39. Immediate report of accidents.....	9

ARTICLE IV.—TRAFFIC-CONTROL DEVICES

Section 40. Authority to install traffic-control devices.....	9
Section 41. Manual and specifications for traffic-control devices.....	9
Section 42. Obedience to official traffic-control devices.....	9
Section 43. When traffic devices required for enforcement purposes.....	9
Section 44. Traffic-control signal legend.....	9
Section 45. Pedestrian walk-and-wait signals.....	11
Section 46. Flashing signals.....	11
Section 47. Display of unauthorized signs, signals, or markings.....	11
Section 48. Interference with official traffic-control devices or railroad signs or signals.....	11
Section 49. Authority to establish play streets.....	11
Section 50. Play streets.....	11
Section 51. City traffic engineer to designate crosswalks, establish safety zones, and mark traffic lanes.....	12

ARTICLE XVII.—TRAFFIC VIOLATIONS BUREAU

	Page
Section 151. Traffic violations bureau created.....	28
Section 152. When person charged may elect to appear at bureau or before magistrate.....	29
Section 153. Duties of traffic violations bureau.....	29
Section 154. Traffic violations bureau to keep records.....	29
Section 155. Additional duties of traffic violations bureau.....	29

ARTICLE XVIII.—PENALTIES AND PROCEDURE ON ARREST

Section 156. Penalties.....	29
Section 157. Forms and notices of arrest or appearance.....	29
Section 158. Procedure upon arrest.....	30
Section 159. Failure to obey notice or summons.....	30
Section 160. Notice on illegally parked vehicle.....	30
Section 161. Failure to comply with notice attached to parked vehicle.....	30
Section 162. Presumption in reference to illegal parking.....	30
Section 163. When complaint to be issued.....	31
Section 164. Disposition of traffic fines and forfeitures.....	31
Section 165. Official misconduct.....	31
Section 166. Authority to impound vehicles.....	31

ARTICLE XIX.—EFFECT OF AND SHORT TITLE OF ORDINANCE

Section 167. Effect of ordinance.....	32
Section 168. Repeal.....	32
Section 169. Publication of ordinance.....	32
Section 170. Short title.....	32
Section 171. Effective date.....	32

ARTICLE XX.—SCHEDULES OF DESIGNATED STREETS REFERRED
TO IN ORDINANCE

Section 180. One-way streets.....	32
Section 181. Through streets.....	33
Section 182. Parking prohibited at all times on certain streets.....	33
Section 183. Parking prohibited during certain hours on certain streets.....	33
Section 184. Stopping, standing, or parking during certain hours on cer- tain streets prohibited.....	33
Section 185. Parking time limited on certain streets.....	34

MODEL TRAFFIC ORDINANCE

An ordinance regulating traffic upon the public streets of the (city of ()) and repealing ordinance (No.) and all other ordinances and sections of ordinances in conflict herewith.

It is ordained by () as follows:

ARTICLE I.—WORDS AND PHRASES DEFINED

SEC. 1. *Definition of words and phrases.*—The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article.¹

SUBDIVISION I.—VEHICLES, TRAFFIC, ETC., DEFINED

SEC. 2. (a) *Vehicle.*—Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(b) *Motor vehicle.*—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) *Authorized emergency vehicle.*—Vehicles of the fire department (fire patrol), police vehicles, and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the (commissioner of motor vehicles) or the (chief of police of this city).

SEC. 3. (a) *Bicycle.*—Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

(b) *Motorcycle.*—Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

SEC. 4. (a) *Railroad.*—A carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

¹ It is suggested that the definitions of any additional terms used in the ordinance be incorporated from Act V of the Uniform Vehicle Code or, in the event a State has enacted Act V including all the definitions therein, then section 1 of the ordinance might be divided into subparagraph (a) and subparagraph (b), the latter to read as follows:

SEC. 1 (b).—Whenever any words and phrases used herein are not defined herein but are defined in the State laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein.

(b) *Railroad train*.—A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

(c) *Street car*.—A car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

SEC. 5. *Traffic*.—Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any street for purposes of travel.

SEC. 6. *Right-of-way*.—The privilege of the immediate use of the roadway.

SEC. 7. (a) *Stop*.—When required means complete cessation of movement.

(b) *Stop, stopping, or standing*.—When prohibited means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(c) *Park*.—When prohibited means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

SEC. 8. *Official time standard*.—Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this city.

SUBDIVISION II.—PERSONS, ETC., DEFINED

SEC. 9. (a) *Person*.—Every natural person, firm, copartnership, association, or corporation.

(b) *Driver*.—Every person who drives or is in actual physical control of a vehicle.

(c) *Pedestrian*.—Any person afoot.

SEC. 10. (a) *Police officer*.—Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(b) *Traffic division*.—The traffic division of the police department of this city, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this city.

SUBDIVISION III.—STREETS, ETC., DEFINED

SEC. 11 (a) *Street or highway*.—The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(b) *Private road or driveway*.—Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(c) *Roadway*.—That portion of a street or highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

(d) *Sidewalk*.—That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(e) *Alley*.²

SEC. 12. (a) *Laned roadway*.—A roadway which is divided into two or more clearly marked lanes for vehicular traffic.

(b) *Through highway*.—Every street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this act.

(c) *Limited-access highway*.—Every highway, street, or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

SEC. 13. *Intersection*.—(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at or approximately at right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two roadways (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

SEC. 14. *Crosswalk*.—(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

SEC. 15. (a) *Safety zone*.—The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(b) *Curb loading zone*.—A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(c) *Passenger curb loading zone*.—A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(d) *Freight curb loading zone*.—A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

² It is suggested that each city define this term as may be found necessary and appropriate.

SEC. 16. (a) *Official traffic-control devices*.—All signs, signals, markings, and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(b) *Traffic-control signal*.—Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

SEC. 17. (a) *Business district*.—The territory contiguous to and including a roadway when within any 600 feet along such roadway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the roadway.

(b) *Residence district*.—The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with dwellings or dwellings and buildings in use for business.

SEC. 18. *Central business (or traffic) district*.—All streets and portions of streets within the area described as follows: All that area bounded by ()³.

ARTICLE II.—TRAFFIC ADMINISTRATION

SEC. 19. *Police administration*.—There is hereby established in the police department of this city a traffic division to be under the control of an officer of police appointed by and directly responsible to the chief of police.

SEC. 20. *Duty of traffic division*.—It shall be the duty of the traffic division with such aid as may be rendered by other members of the police department to enforce the street traffic regulations of this city and all of the State vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate accidents and to cooperate with the city traffic engineer and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this ordinance and the traffic ordinances of this city.

SEC. 21. *Records of traffic violations*.—(a) The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of this city or of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a 5-year period and from that time on the record shall be maintained complete for at least the most recent 5-year period.

(b) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

³ Some cities enact special regulations applicable in the central business (or traffic) district rendering it necessary that such area be defined.

(c) All such records and reports shall be public records.

SEC. 22. *Traffic division to investigate accidents.*—It shall be the duty of the traffic division, assisted by other police officers of the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

SEC. 23. *Traffic accident studies.*—Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the city traffic engineer in conducting studies of such accidents and determining remedial measures.

SEC. 24. *Traffic accident reports.*—(a) The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the city traffic engineer.

(b) The traffic division shall receive and properly file all accident reports made to it under State law or under any ordinance of this city, but all such accident reports made by drivers shall be for the confidential use of the police department and the city traffic engineer, and no such report shall be admissible in any civil or criminal proceeding other than upon request of any person making such report or upon request of the court having jurisdiction to prove a compliance with the laws requiring the making of any such report.

SEC. 25. *Drivers files to be maintained.*—(a) The police department or the traffic division thereof shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(b) Said division shall study the cases of all the drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and shall attempt to discover the reasons therefor, and shall take whatever steps are lawful and reasonable to prevent the same or to have the licenses of such persons suspended or revoked.

(c) Such records shall accumulate during at least a (5-year) period and from that time on such records shall be maintained complete for at least the most recent (5-year) period.

SEC. 26. *Traffic division to submit annual traffic-safety report.*—The traffic division shall annually prepare a traffic report which shall be filed with the (mayor). Such report shall contain information on traffic matters in this city as follows:

1. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police;

3. The plans and recommendations of the division for future traffic safety activities.

SEC. 27. *Traffic division to designate method of identifying funeral processions.*—The traffic division shall designate a type of pennant.⁴

⁴ It is recommended that this pennant be white, with or without special insignia.

or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in funeral processions.

SEC. 28. *City traffic engineer.*—(a) The office of city traffic engineer is hereby established. The city traffic engineer shall be appointed by () (under civil service) and he shall exercise the powers and duties as provided in this ordinance and in the traffic ordinances of this city.

ALTERNATE (a)—The office of city traffic engineer is hereby established. The (city engineer) shall serve as city traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.

(b) It shall be the general duty of the city traffic engineer to determine the installation and proper timing and maintenance of traffic-control devices, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering investigation of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this city.

SEC. 29. *Emergency and experimental regulations.*—(a) The chief of police by and with the approval of the city traffic engineer is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.

(b) The city traffic engineer may test traffic-control devices under actual conditions of traffic.

SEC. 30. *Traffic commission, its powers and duties.*—(a) There is hereby established a traffic commission to serve without compensation, consisting of the city traffic engineer, the chief of police or in his discretion as his representative the chief of the traffic division, the chairman of the city council traffic committee, and one representative each from the city engineer's office and the city attorney's office and such number of other city officers and representatives of unofficial bodies as may be determined and appointed by the mayor. The chairman of the commission shall be appointed by the mayor and may be removed by him.

(b) It shall be the duty of the traffic commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, (to carry on educational activities in traffic matters), to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the legislative body of this city and to the city traffic engineer, the chief of the traffic division, and other city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.⁵

⁵ There are two types of official traffic commissions, each of which has been found effective under certain conditions. The first type consists of a small number of city officials directly concerned with traffic administration, serving ex officio, with perhaps the addition of one or two citizen members. The principal function of this commission is to coordinate official traffic activities of the several departments of the city administration. The safety edu-

ARTICLE III.—ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

SEC. 31. *Authority of police and fire department officials.*—(a) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce all street traffic laws of this city and all of the State vehicle laws applicable to street traffic in this city.

(b) Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

SEC. 32. *Required obedience to traffic ordinance.*—It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance.

SEC. 33. *Obedience to police and fire department officials.*—No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

SEC. 34. *Persons propelling push carts or riding animals to obey traffic regulations.*—Every person propelling any push cart or riding an animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

cational activities in the community are then conducted or coordinated by an unofficial organization such as a safety council, or a safety committee of the chamber of commerce, motor club, or similar organization.

The other type of traffic commission (sometimes called the safety commission or the traffic safety commission) is considerably larger in size, including other public officials and a number of citizen members in addition to the officials mentioned above. Such a commission and its subcommittees not only perform the functions mentioned above, but also carry on a comprehensive program of public safety education. If this type of commission is desired then there should be retained in section 30 (b) the part reading, "(to carry on educational activities in traffic matters)," but if the first type of commission is desired the statement with respect to educational activities should be omitted.

The type of traffic commission most effective in any particular community will depend on the local conditions. Before organizing any such commission, advice should be had from one of the national organizations in this field.

In the event the second type of commission is desired it is suggested that it might properly include the following personnel in addition to those official representatives mentioned in section 30.

- (1) The judicial official who handles most of the traffic cases.
- (2) A representative of the board of education.
- (3) A representative of the city planning commission.
- (4) A representative of the fire department.
- (5) A representative of the public utilities regulatory body, if any.
- (6) A number of citizens vitally interested, including the following:
 - (a) Representatives of the mass-transportation companies.
 - (b) One or more representatives of business organizations.
 - (c) Representatives of civic and professional groups such as the automobile club, engineers club, local safety council, chamber of commerce and junior chamber, and the
 - (e) A representative of taxicab companies.
 - (f) parent-teachers association.
 - (d) A representative of trucking interests.
 - (f) A representative of automobile insurance companies.
 - (g) One or two newspaper editors.

SEC. 35. *Use of coasters, roller skates, and similar devices restricted.*—No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city.

SEC. 36. *Public employees to obey traffic regulations.*—The provisions of this ordinance shall apply to the driver of any vehicle owned by or used in the service of the United States Government, this State, county, or (city), and it shall be unlawful for any said driver to violate any of the provisions of this ordinance, except as otherwise permitted in this ordinance or by State statute.

SEC. 37. *Exemptions to authorized emergency vehicles.*—(a) The provisions of this ordinance regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, as defined in this ordinance, except as follows:

A driver when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may—

(1) Park or stand notwithstanding the provisions of this ordinance;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the prima facie speed limits so long as he does not endanger life or property;

(4) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(b) Those exemptions hereinbefore granted in reference to the movement of an authorized emergency vehicle shall apply only when the driver of said vehicle sounds a siren, bell, or exhaust whistle as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to others.

(c) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

SEC. 38. *Operation of vehicles and street cars on approach of authorized emergency vehicles.*—(a) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell;

(1) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer;

(2) Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every street car shall immediately stop such car clear of any intersection and keep it in such position until

the authorized emergency vehicle has passed except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

SEC. 39. *Immediate report of accidents.*—The driver of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of \$25 or more, shall immediately by the quickest means of communication, either verbal or written, give notice of such accident to the police department if such accident occurs within this city.

ARTICLE IV.—TRAFFIC-CONTROL DEVICES

SEC. 40. *Authority to install traffic-control devices.*—The (city traffic engineer) shall place and maintain traffic-control signs, signals, and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under State law, or to guide or warn traffic.

SEC. 41. *Manual and specifications for traffic-control devices.*—All traffic-control signs, signals, and devices shall conform to the manual and specifications approved by the (State highway commission) (or) resolution adopted by the legislative body of this city. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

SEC. 42. *Obedience to official traffic-control devices.*—The driver of any vehicle and the motorman of any street car shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

SEC. 43. *When traffic devices required for enforcement purposes.*—No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

SEC. 44. *Traffic-control signal legend.*—Whenever traffic is controlled by traffic-control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and said terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green alone or "Go."

(1) Vehicular traffic facing the signal, except when prohibited under section 88, may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular

traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(b) Yellow alone or "Caution" when shown following the green or "Go" signal.

(1) Vehicular traffic facing the signal is thereby warned that the red or "Stop" signal will be exhibited immediately thereafter and such vehicular traffic shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(2) Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

ALTERNATE (2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone (unless authorized so to do by a pedestrian "Walk" signal).

(c) Red alone or "Stop."

(1) Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until green or "Go" is shown alone.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

ALTERNATE (2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone (unless authorized so to do by a pedestrian "Walk" signal).

(d) Red with green arrow.

(1) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(2) No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic.

ALTERNATE (2) No pedestrian facing such signal shall enter the roadway until the green or "Go" is shown alone (unless authorized so to do by a pedestrian "Walk" signal).

(e) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(f) The motorman of any street car shall obey the above signals as applicable to vehicles.⁶

⁶ Section 44 has been incorporated from Act V of the Uniform Vehicle Code but with alternate provisions in reference to pedestrian obedience to signals. That part of ALTERNATE (2) in parentheses should be included by a city which installs pedestrian walk-and-wait signals, but should be omitted if the city does not maintain any such special pedestrian signals.

SEC. 45. *Pedestrian walk-and-wait signals.*—Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" are in place such signals shall indicate as follows:

(a) *Walk.*—Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(b) *Wait.*—No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing.⁷

SEC. 46. *Flashing signals.*—Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(1) *Flashing red (stop signal).*—When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) *Flashing yellow (caution signal).*—When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

SEC. 47. *Display of unauthorized signs, signals, or markings.*—(a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(b) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

SEC. 48. *Interference with official traffic-control devices or railroad signs or signals.*—No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

SEC. 49. *Authority to establish play streets.*—The city traffic engineer shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

SEC. 50. *Play streets.*—Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall

⁷ Section 45 from Act V, section 35, may be omitted in the event a city does not install pedestrian walk-and-wait signals.

drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

SEC. 51. *City traffic engineer to designate crosswalks, establish safety zones, and mark traffic lanes.*—The city traffic engineer is hereby authorized—

(1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

(2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians;

(3) To mark lanes for traffic on street pavements at such places as he may deem advisable, consistent with the traffic ordinances of this city.

ARTICLE V.—SPEED REGULATIONS

SEC. 52. *State speed laws applicable.*—The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this ordinance, as authorized by State law, hereby declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be prima facie unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this ordinance when signs are in place giving notice thereof.⁸

SEC. 53. *Decrease of State speed limit at certain intersections.*—It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law at the following street intersections is greater than is reasonable or safe under the conditions found to exist at such intersections and it is hereby declared that the prima facie speed limit within 100 feet upon every designated approach to and within those intersections herein designated shall be as herein stated, which speeds so declared shall be effective at the times specified herein when signs are erected upon every approach to every such intersection giving notice of the prima facie speed limit so declared thereat.⁹

⁸ Sections 52, 53, 54, and 55 are included on the assumption that the State legislature has enacted section 58 of Act V of the Uniform Vehicle Code authorizing local authorities to alter certain prima facie speed limits declared by State law subject to the limitations and under the conditions stated in said section 58 of Act V. However in the event a city does not find it necessary to exercise the powers granted in said sections 52 to 55, inclusive, or any one of said sections, then those sections not needed should be omitted from the ordinance.

In connection with these sections and in the event a State has adopted section 58 (d) of Act V, it should be noted that no alteration of a prima facie speed limit on a State highway or any extension thereof in a municipality shall be effective unless such alteration has been approved by the (State highway commission).

⁹ Section 53 is designed to apply and make effective the authorization contained in Act V, section 58 (a), authorizing local authorities under the conditions therein stated to reduce the State law prima facie speed limit at any intersection.

Name of street	Prima facie speed limit	At all times (or) (during night-time)

SEC. 54. *Increasing State speed limit in certain zones.*—It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and signposting of said streets as through highways and (or) by reason of widely spaced intersections and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated at the times specified when signs are erected giving notice thereof.¹⁰

Name of street	Prima facie speed limit	At all times (or) (during daytime)

SEC. 55. *Decrease of State law maximum speed.*—It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the prima facie speed limit shall be (35) or (45) miles per hour as herein set forth on those streets or parts of streets herein designated at the times herein specified when signs are erected giving notice thereof.¹¹

Name of street	Prima facie speed limit	At all times (or) (during nighttime)

ALTERNATE SECS. 53, 54, and 55. In the event it is found necessary in any of the above regularly numbered sections to refer to or enumerate a substantial number of intersections or streets, then it may be desirable to recast the text of said ordinance sections, making reference to schedules to be included in article XX, as for example, as follows:

¹⁰ Section 54 is included as authorized by and to make effective section 58 (b) of Act V permitting local authorities to increase the standard 25-mile State prima facie speed limit in business and residence districts upon through highways or upon highways or portions thereof where there are no intersections or between widely spaced intersections.

¹¹ Section 55 is included as authorized by Act V, section 58 (c), permitting local authorities after engineering and traffic investigation to reduce the lawful maximum speed under State law outside of business or residence districts upon any street, provided that in no event shall the speed as declared by city ordinance be less than 35 miles per hour.

ALTERNATE SEC. 54. *Increasing State speed limits in certain zones.*—It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law upon those streets or portions thereof described in schedule () is less than is necessary for safe operation of vehicles thereon by reason of the designation and signposting of said streets as through highways, or by reason of widely spaced intersections, and it is hereby declared that the prima facie speed limit upon those streets or portions thereof described in schedule () shall be as therein stated, which speeds so declared shall be effective at the time specified therein when signs are erected giving notice thereof.

NOTE.—Insert in article XX the following schedule :

SCHEDULE ()

SEC. (). *Increased speed limits.*—In accordance with section 54, and when signs are erected giving notice thereof, the prima facie speed limit shall be as set forth in this schedule upon those streets or portions thereof and at the times specified herein.

Name of street (or) (portions affected)	Prima facie speed limit	At all times (or) (during daytime)
-----	-----	-----
-----	-----	-----
-----	-----	-----

SEC. 56. *Regulation of speed by traffic signals.*—The city traffic engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

ARTICLE VI.—TURNING MOVEMENTS

SEC. 57. *Required position and method of turning at intersections.*—The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.

(b) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

(d) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

SEC. 58. *Authority to place and obedience to turning markers.*—(a) The city traffic engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

(b) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

SEC. 59. *Authority to place restricted turn signs.*—The city traffic engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

SEC. 60. *Obedience to no-turn signs.*—Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

SEC. 61. *Limitations on turning around.*—The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

ARTICLE VII—ONE-WAY STREETS AND ALLEYS

SEC. 62. *Authority to sign one-way streets and alleys.*—Whenever any ordinance of this city designates any one-way street or alley the city traffic engineer shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

SEC. 63. *One-way streets and alleys.*—Upon those streets and parts of streets and in those alleys described in schedule I attached hereto and made a part hereof, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

ARTICLE VII.—SPECIAL STOPS REQUIRED

SEC. 64. *Through streets designated.*—Those streets and parts of streets described in schedule II attached hereto and made a part hereof are hereby declared to be through streets for the purpose of this section.

SEC. 65. *Authority to erect stop signs.*—Whenever any ordinance of this city designates and describes a through street it shall be the duty of the city traffic engineer to place and maintain a stop sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by any ordinance of this city.

SEC. 66. *Intersections where stop required.*—The city traffic engineer is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one or more entrances to any such stop intersection, and shall erect a stop sign at every such place where a stop is required.

SEC. 67. *Signs to bear the word "Stop."*—Every sign erected pursuant to this article shall bear the word "Stop" in letters not less than 6 inches in height and such sign shall at nighttime be rendered luminous by steady or flashing internal illumination, or by a fixed floodlight projected on the face of the sign, or by efficient reflecting elements on the face of the sign. Every stop sign shall be located as near as practicable at the nearest line of the crosswalk on the near side of the intersection or, if none, at the nearest line of the roadway.

SEC. 68. *Vehicles and street cars to stop at stop signs.*—When stop signs are erected as herein provided at or near the entrance to any intersection, every driver of a vehicle and every motorman of a street car shall stop such vehicle or street car at such sign or at a clearly marked stop line before entering the intersection except when directed to proceed by a police officer or traffic-control signal.¹²

SEC. 69. *Emerging from alley or private driveway.*—The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

SEC. 70. *Stop when traffic obstructed.*—No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

¹² It may be desirable to include in the ordinance an additional section from Act V, section 84, directing the movement of a vehicle after stopping at a stop sign to read as follows:

SEC. () *Vehicle entering through highway or stop intersection.*—(a) After the driver of a vehicle has stopped at the entrance to a through highway, such driver shall yield the right-of-way to other vehicles which have entered the intersection from said through highway or which are approaching so closely on said through highway as to constitute an immediate hazard, but said driver having so yielded, may proceed and the drivers of all other vehicles approaching the intersection on said through highway shall yield the right-of-way to the vehicle so proceeding into or across the through highway.

(b) After the driver of a vehicle has stopped in obedience to a stop sign at an intersection where a stop sign is erected at one or more entrances thereto although not a part of a through highway, such driver shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

SEC. 71. *Obedience to signal indicating approach of railroad train.*—

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

(2) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;

(3) A railroad train approaching within approximately 1500 feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;

(4) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

ARTICLE IX.—MISCELLANEOUS DRIVING RULES

SEC. 72. *Following fire apparatus prohibited.*—The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

SEC. 73. *Crossing fire hose.*—No street car or vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway, or street-car track, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

SEC. 74. *Driving through funeral or other procession.*—No driver of a vehicle or motorman of a street car shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

SEC. 75. *Drivers in a procession.*—Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

SEC. 76. *Funeral processions to be identified.*—A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division.

SEC. 77. *When permits required for parades and processions.*—No funeral, procession, or parade containing (200) or more persons or (50) or more vehicles, excepting the forces of the United States Army or Navy, the military forces of this State, and the forces of the police and fire departments, shall occupy, march, or proceed along any street except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply.

SEC. 78. *Vehicles shall not be driven on a sidewalk.*—The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

SEC. 79. *Limitations on backing.*—The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

SEC. 80. *Riding on motorcycles.*—A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto or carry any other person nor shall any other person ride, upon such motorcycle other than upon a firmly attached seat to the rear or side of the operator.

SEC. 81. *Clinging to moving vehicles.*—Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any street car or moving vehicle upon any roadway.

SEC. 82. *Restricted access.*—No person shall drive a vehicle onto or from any limited-access roadway except at such entrances and exits as are established by public authority.¹³

ARTICLE X.—STREET CARS AND SAFETY ZONES ¹⁴

SEC. 84. *Boarding or alighting from street cars or vehicles.*—No person shall board or alight from any street car or vehicle while such street car or vehicle is in motion.

SEC. 85. *Unlawful riding.*—No person shall ride on any street car or vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

SEC. 86. *Railroad trains and street cars not to block streets.*—It shall be unlawful for the directing officer or the operator of any railroad train or street car to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than 5 minutes, except that this provision shall not apply to trains or cars in motion other than those

¹³ The text is from revised Act V, section 74, and is to be read in connection with the definition of limited-access highway in section 12 (c) of this model ordinance. This section can be omitted in case a municipality does not contemplate having a limited-access highway.

¹⁴ In the event street cars are not operated in a city adopting this ordinance, then there is no need to include the regulations in this article except that the provisions in reference to unlawful riding or alighting from a vehicle in sections 84 and 85 and the prohibition against driving through a safety zone in section 90 might be transferred to and included in article VIII entitled Miscellaneous Driving Rules.

engaged in switching. It shall be unlawful for any street car to stop within an intersection or on a crosswalk for the purpose of receiving or discharging passengers.

SEC. 87. *Passing street car on left.*—(a) The driver of a vehicle shall not overtake and pass upon the left nor drive upon the left side of any street car proceeding in the same direction, whether such street car is actually in motion or temporarily at rest, except:

- (1) When so directed by a police officer;
- (2) When upon a one-way street; or
- (3) When upon a street where the tracks are so located as to prevent compliance with this section.

(b) The driver of any vehicle when permitted to overtake and pass upon the left of a street car which has stopped for the purpose of receiving or discharging any passenger shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right-of-way when required by other sections of this act.

SEC. 88. *Passing street car on right.*—The driver of a vehicle overtaking upon the right any street car stopped or about to stop for the purpose of receiving or discharging any passenger shall stop such vehicle at least 5 feet to the rear of the nearest running board or door of such street car and thereupon remain standing until all passengers have boarded such car or upon alighting have reached a place of safety, except that where a safety zone has been established a vehicle need not be brought to a stop before passing any such street car but may proceed past such car at a speed not greater than is reasonable and proper and with due caution for the safety of pedestrians.

SEC. 89. *Driving on street-car tracks.*—(a) The driver of any vehicle proceeding upon any street-car track in front of a street car upon a street shall remove such vehicle from the track as soon as practical after signal from the operator of said street car.

(b) When a street car has lawfully entered and is crossing an intersection, no driver of a vehicle shall drive upon or across the car tracks within the intersection in front of the street car.

(c) The driver of a vehicle upon overtaking and passing a street car shall not turn in front of such street car so as to interfere with or impede its movement.

SEC. 90. *Driving through safety zones prohibited.*—No vehicle shall at any time be driven through or within a safety zone.

ARTICLE XI.—PEDESTRIANS' RIGHTS AND DUTIES

SEC. 92. *Pedestrians subject to traffic-control signals.*—Pedestrians shall be subject to traffic-control signals as heretofore declared in section 34 of this ordinance, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article.

SEC. 93. *Pedestrians' right-of-way in crosswalk.*—(a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need

be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to yield. A pedestrian's right-of-way in a crosswalk is modified under the condition and as stated in section 96 (b).

(b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SEC. 94. *Pedestrians to use right half of crosswalk.*—Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

SEC. 95. *Crossing at right angles.*—No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

SEC. 96. *When pedestrian shall yield.*—(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(c) The foregoing rules in this section have no application under the conditions stated in section 97 when pedestrians are prohibited from crossing at certain designated places.

SEC. 97. *Prohibited crossing.*—(a) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.

(b) No pedestrian shall cross a roadway other than in a crosswalk in (the central traffic district or) in any business district.

(c) No pedestrian shall cross a roadway other than in a crosswalk upon any of the following named (through streets) or (parkways):
().

SEC. 98. *Pedestrians walking along roadways.*—(a) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(c) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

SEC. 99. *Drivers to exercise due care.*—Notwithstanding the foregoing provisions of this article every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

ARTICLE XII.—REGULATIONS FOR BICYCLES

SEC. 100. *Effect of regulations.*—(a) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

(c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

SEC. 101. *License required.*—No person, who resides within this city, shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

SEC. 102. *License application.*—Application for a bicycle license and license plate shall be made upon a form provided by the city and shall be made to the (chief of police). An annual license fee of () shall be paid to the city before each license or renewal thereof is granted.

SEC. 103. *Issuance of license.*—(a) The (chief of police) upon receiving proper application therefor is authorized to issue a bicycle license which shall be effective until (the next succeeding first day of July).

(b) The (chief of police) shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to the possession of such bicycle.

(c) The (chief of police) shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.

SEC. 104. *Attachment of license plate.*—(a) The (chief of police) upon issuing a bicycle license shall also issue a license plate bearing the license number assigned to the bicycle, the name of the city, and (the calendar year for which issued) (the expiration date thereof).

(b) The (chief of police) shall cause such license plate to be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

(c) No person shall remove a license plate from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in this city.

SEC. 105. *Inspection of bicycles.*—The chief of police, or an officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition.

SEC. 106. *Renewal of license.*—Upon the expiration of any bicycle license the same may be renewed upon application and payment of the same fee as upon an original application.

SEC. 107. *Transfer of ownership.*—Upon the sale or other transfer of a licensed bicycle the licensee shall remove the license plate and shall either surrender the same to the (chief of police) or may upon proper application but without payment of additional fee have said plate assigned to another bicycle owned by the applicant.

SEC. 108. *Rental agencies.*—A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this article.

SEC. 109. *Bicycle dealers.*—Every person engaged in the business of buying or selling new or second-hand bicycles shall make a report to the (chief of police) of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and the number of license plate, if any, found thereon.

SEC. 110. *Traffic laws apply to persons riding bicycles.*—Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.

SEC. 111. *Obedience to traffic-control devices.*—(a) Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

SEC. 112. *Riding on bicycles.*—(a) A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

SEC. 113. *Riding on roadways and bicycle paths.*—(a) Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(c) Whenever a usable path for bicycles has been provided adjacent to a roadway bicycle riders shall use such path and shall not use the roadway.

SEC. 114. *Speed.*—No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

SEC. 115. *Emerging from alley or driveway.*—The operator of a bicycle emerging from an alley, driveway or building, shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

SEC. 116. *Clinging to vehicles.*—No person riding upon any bicycle shall attach the same or himself to any street car or vehicle upon a roadway.

SEC. 117. *Carrying articles.*—No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars.

SEC. 118. *Parking.*—No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

SEC. 119. *Riding on sidewalks.*—(a) No person shall ride a bicycle upon a sidewalk within a business district.

(b) The (chief of police) is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

ALTERNATE (b). No person (15) or more years of age shall ride a bicycle upon any sidewalk in any district.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

SEC. 120. *Lamps and other equipment on bicycles.*—(a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any persons use upon a bicycle any siren or whistle.

(c) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

SEC. 121. *Penalties.*—Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than () dollars or by imprisonment for not more than () days or by removal and detention of the license plate from such person's bicycle for a period not to exceed () days or by impounding of such person's bicycle for a period not to exceed () days or by any combination thereof.¹⁵

¹⁵ It is suggested that each city attorney determine whether this section, imposing penalties, is inapplicable to juveniles by reason of State statutes establishing juvenile courts and special methods of dealing with juvenile offenders.

ARTICLE XIII.—METHOD OF PARKING

SEC. 122. *Standing or parking close to curb.*—No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within eighteen (18) inches of the curb or edge of the roadway except as otherwise provided in this article.

SEC. 123. *Signs or markings indicating angle parking.*—(a) The city traffic engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets but such angle parking shall not be indicated upon any Federal-aid or State highway within this city unless the (State highway commission) has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(b) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or upon any street-car tracks.

SEC. 124. *Obedience to angle-parking signs or markings.*—Upon those streets which have been signed or marked by the city traffic engineer for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

SEC. 125. *Permit for loading or unloading at an angle to the curb.*—The city traffic engineer is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

SEC. 126. *Lights on parked vehicles.*—(a) Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residence district no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked upon a street or highway outside of a business or residence district during the hours between one-half hour after sunset and one-half hour before sunrise, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of the vehicle and a red light visible from a distance of 500 feet to the rear.

(c) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

ARTICLE XIV.—STOPPING, STANDING, OR PARKING
PROHIBITED IN SPECIFIED PLACES

SEC. 127. *Stopping, standing, or parking prohibited. No signs required.*—(a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance

with law or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within 15 feet of a fire hydrant;
5. On a crosswalk;
6. Within 20 feet of a crosswalk at an intersection;
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city traffic engineer has indicated a different length by signs or markings;
9. Within 50 feet of the nearest rail of a railroad crossing;
10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance (when properly signposted);
11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
14. At any place where official signs prohibit stopping.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

SEC. 128. *Parking not to obstruct traffic.*—No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

SEC. 129. *Parking in alleys.*—No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

SEC. 130. *All-night parking prohibited.*—No person shall park a vehicle on any street for a period of time longer than 30 minutes between the hours of (2) a. m. and (5) a. m. of any day, except physicians on emergency calls.

SEC. 131. *Parking for certain purposes prohibited.*—No person shall park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

SEC. 132. *Parking adjacent to schools.*—(a) The city traffic engineer is hereby authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

SEC. 133. *Parking prohibited on narrow streets.*—(a) The city traffic engineer is hereby authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.

(b) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

SEC. 134. *Standing or parking on one-way streets.*—The city traffic engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

SEC. 135. *Standing or parking on one-way roadways.*—In the event a highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The city traffic engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

SEC. 136. *No stopping, standing, or parking near hazardous or congested places.*—(a) The city traffic engineer is hereby authorized to determine and designate by proper signs places not exceeding 100 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand, or park a vehicle in any such designated place.

ARTICLE XV.—STOPPING FOR LOADING OR UNLOADING ONLY

SEC. 137. *City traffic engineer to designate curb loading zones.*—The city traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

SEC. 138. *Permits for curb loading zones.*—The city traffic engineer shall not hereafter designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone. The city traffic engineer upon granting a permit and issuing such signs shall collect from the applicant and deposit in the city treasury a service fee of (\$) per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the city for the value thereof in the event of their loss or damage and their return in the event of

misuse or upon expiration of permit. Every such permit shall expire at the end of 1 year.

SEC. 139. *Standing in passenger curb loading zone.*—No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed 3 minutes.

SEC. 140. *Standing in freight curb loading zone.*—(a) No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes.¹⁶

SEC. 141. *City traffic engineer to designate public carrier stands.*—The city traffic engineer is hereby authorized and required to establish bus stops and taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, taxicab stand, or other stand shall be designated by appropriate signs.

SEC. 142. *Parking of busses and taxicabs regulated.*—The driver of a bus (hackney) or taxicab shall not park upon any street in any business district at any place other than at a bus stop, (hackney stand), or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

SEC. 143. *Restricted use of bus and taxicab stands.*—No person shall stop, stand, or park a vehicle other than a bus in a bus stop, (or other than a hackney in a hackney stand), or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, (hackney), or taxicab waiting to enter or about to enter such zone.

ARTICLE XVI.—STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

SEC. 144. *Application of article.*—The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except

¹⁶ In the event it is deemed desirable to permit passenger vehicles to stop temporarily for loading or unloading of passengers in a freight curb loading zone, then the following might be added in section 140:

(b) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.

when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

SEC. 145. *Regulations not exclusive.*—The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

SEC. 146. *Parking prohibited at all times on certain streets.*—When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in schedule III attached to and made a part of this ordinance.

SEC. 147. *Parking prohibited during certain hours on certain streets.*—When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified in schedule IV of any day except Sundays and public holidays within the district or upon any of the streets described in said schedule IV attached to and made a part of this ordinance.

SEC. 148. *Stopping, standing, or parking prohibited during certain hours on certain streets.*—When signs are erected in each block giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified in schedule V of any day except Sundays and public holidays within the district or upon any of the streets described in said schedule V attached to and made a part of this ordinance.

SEC. 149. *Parking time limited on certain streets.*—When signs are erected in each block giving notice thereof, no person shall park a vehicle for longer than () at any time between the hours of () a. m. and () p. m. of any day except Sundays and public holidays within the district or upon any of the streets described in schedule VI attached to and made a part of this ordinance.

SEC. 150. *Parking signs required.*—Whenever by this or any other ordinance of this city any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the city traffic engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

ARTICLE XVII.—TRAFFIC VIOLATIONS BUREAU

SEC. 151. *Traffic violations bureau created.*—(a) The (chief city magistrate) shall establish a traffic violations bureau to assist the court with the clerical work of traffic cases. The bureau shall be in charge of such person or persons and shall be open at such hours as the (chief magistrate) may designate.

(b) The magistrate or magistrates who hear traffic cases shall designate the specified offenses under the traffic ordinances of this city and the State traffic laws in respect to which payments of fines may be accepted by the traffic violations bureau in satisfaction thereof, and shall specify by suitable schedules the amount of such fines for first, second, and subsequent offenses, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the magistrate.

SEC. 152. *When person charged may elect to appear at bureau or before magistrate.*—(a) Any person charged with an offense for which payment of a fine may be made to the traffic violations bureau shall have the option of paying such fine within the time specified in the notice of arrest at the traffic violations bureau upon entering a plea of guilty and upon waiving appearance in court; or may have the option of depositing required lawful bail and upon a plea of not guilty shall be entitled to a trial as authorized by law.

(b) The payment of a fine to the bureau shall be deemed an acknowledgment of conviction of the alleged offense, and the bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

SEC. 153. *Duties of traffic violations bureau.*—The following duties are hereby imposed upon the traffic violations bureau in reference to traffic offenses:

(1) It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney.

(2) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

(3) It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding 12 months, whether such guilt was established in court or in the traffic violations bureau.

SEC. 154. *Traffic violations bureau to keep records.*—The traffic violations bureau shall keep records and submit summarized monthly reports to the (chief city magistrate) of all notices issued and arrests made for violations of the traffic laws and ordinances in this city and of all the fines collected by the traffic violations bureau or the court, and of the final disposition or present status of every case of violation of the provisions of said laws and ordinances. Such records shall be so maintained as to show all types of violations and the totals of each. Said records shall be public records.

SEC. 155. *Additional duties of traffic violations bureau.*—The traffic violations bureau shall follow such procedure as may be prescribed by the traffic ordinances of this city or as may be required by any laws of this State.

ARTICLE XVIII.—PENALTIES AND PROCEDURE ON ARREST

SEC. 156. *Penalties.*—Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than () dollars or by imprisonment for not more than () days or by both such fine and imprisonment.

SEC. 157. *Forms and notices of arrest or appearance.*—The city (financial official) shall provide in triplicate suitable serially numbered forms for notifying violators to appear and answer to charges

of violating traffic laws and ordinances. Such forms shall be issued to and receipted for by the chief of police or other person acting for him. The city (financial official) shall each month report to the (mayor) and chief magistrate of the city court the disposal made by the police of all triplicate forms issued to them. For this purpose the city (financial official) or his representative shall have access to the necessary records of the police department, the city traffic courts of this city, and the traffic violations bureau. These reports shall be public records.

SEC. 158. *Procedure upon arrest.*—Except when authorized or directed under State law to immediately take a person arrested for a violation of any of the traffic laws before a magistrate, any police officer, upon making an arrest for violation of the State traffic laws or traffic ordinances of this city, shall take the name, address, and operator's license number of the alleged violator and the registered number of the motor vehicle involved and shall issue to him in writing on a form provided by the city (financial official) a notice to answer to the charge against him at a place and at a time at least 5 days after such arrest to be specified in the notice. The officer, upon receiving the written promise of the alleged violator to answer as specified in the notice, shall release such person from custody.

SEC. 159. *Failure to obey notice or summons.*—Any person who violates his written promise to appear given to an officer upon an arrest for any traffic violation is guilty of a misdemeanor regardless of the disposition of the charge of which he was originally arrested.

SEC. 160. *Notice on illegally parked vehicle.*—Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this city or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice in writing, on a form provided by the city (financial official), for the driver to answer to the charge against him within 5 days during the hours and at a place specified in the notice. The officer shall send one copy of such notice to the (chief of the traffic division) and one copy to the court or to the (traffic violations bureau).¹⁷

SEC. 161. *Failure to comply with notice attached to parked vehicle.*—If a violator of the restrictions on stopping, standing, or parking under the traffic laws or ordinances does not appear in response to a notice affixed to such motor vehicle within a period of 5 days (the clerk of the traffic court) (or) (the traffic violations bureau) shall send to the owner of the motor vehicle to which the notice was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of 5 days a complaint will be filed and warrant of arrest issued.

SEC. 162. *Presumption in reference to illegal parking.*—(a) In any prosecution charging a violation of any law or regulation governing

¹⁷ The procedure upon arrest as provided in this section represents recommended practice in those municipalities where it is permissible under State law for the municipality to prescribe by ordinance the procedure to be followed upon arrest. It is recognized that in some States this matter is regulated by State law and ordinances in conflict therewith would be invalid.

the standing or parking of a vehicle proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(b) The foregoing stated presumption shall apply only when the procedure as prescribed in sections 160 and 161 has been followed.¹⁸

SEC. 163. *When complaint to be issued.*—In the event any person fails to comply with a notice given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the (traffic court) (traffic violations bureau), or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the (clerk of the traffic court) (traffic violations bureau) shall forthwith have a complaint entered against such person and secure and issue a warrant for his arrest.

SEC. 164. *Disposition of traffic fines and forfeitures.*—All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this ordinance shall be paid into the city treasury and deposited in a special fund to be known as the "street traffic improvement fund," which is hereby created and which shall be used exclusively in the construction, maintenance, and repair of public streets, bridges, and street structures, or for the installation and maintenance of traffic-control devices thereon.

SEC. 165. *Official misconduct.*—Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture, either before or after a deposit in said "street traffic improvement fund," to comply with the foregoing provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom.

SEC. 166. *Authority to impound vehicles.*—(a) Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by this city under the circumstances hereinafter enumerated.

(1) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

¹⁸ It would be preferable to obtain enactment of the substance of section 162 by the State legislature, as the authority of legislative bodies of municipalities to enact rules of evidence or to create presumptions may be questioned under the State constitution in many States.

(b) Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

(c) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event the officer shall immediately send or cause to be sent written report of such removal by mail to the State department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

ARTICLE XIX.—EFFECT OF AND SHORT TITLE OF ORDINANCE

SEC. 167. *Effect of ordinance.*—If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance.

SEC. 168. *Repeal.*—Ordinance No. () (former traffic ordinance of the city) of this (city) is hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

SEC. 169. *Publication of ordinance.*—The (city clerk) shall certify to the passage of this ordinance and cause the same to be published in the ().

SEC. 170. *Short title.*—This ordinance may be known and cited as the Traffic Ordinance.

SEC. 171. *Effective date.*—This ordinance shall take effect from and after the () day of ().

ARTICLE XX.—SCHEDULES OF DESIGNATED STREETS REFERRED TO IN ORDINANCE¹⁹

SCHEDULE I

SEC. 180. *One-way streets.*—In accordance with section 63 and when properly signposted, traffic shall move only in the direction indicated upon the following streets:

¹⁹ The primary purpose of setting forth the following schedules is to permit that a city may publish and issue the major text of the traffic ordinance as an entity and issue sep-

Name of street	Direction of traffic movement
-----	-----
-----	-----
-----	-----

SCHEDULE II

SEC. 181. *Through streets.*—In accordance with the provisions of section 64 and when signs are erected giving notice thereof drivers of vehicles shall stop at every intersection before entering any of the following streets or parts of streets: ().

SCHEDULE III

SEC. 182. *Parking prohibited at all times on certain streets.*—In accordance with section 146 and when signs are erected giving notice thereof no person shall at any time park a vehicle upon any of the following described streets or parts of streets: ().

SCHEDULE IV

SEC. 183. *Parking prohibited during certain hours on certain streets.*—In accordance with section 147, and when signs are erected giving notice thereof, no person shall park a vehicle between the hours specified herein of any day except Sundays and public holidays within the district or upon any of the streets or parts of streets as follows:

Name of street or district	Hours parking prohibited
-----	-----
-----	-----
-----	-----

SCHEDULE V

SEC. 184. *Stopping, standing, or parking during certain hours on certain streets prohibited.*—In accordance with section 148, and when signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle between the hours specified herein of any day except Sundays and public holidays within the district or upon any of the streets or parts of streets as follows:

arately the schedules which commonly are revised or added to with great frequency. Technically the schedules are a part of the ordinance and ordinarily action of the city authorities by ordinance is necessary to amend or add to a schedule. In some instances city attorneys have approved of amendments to a schedule by resolution of the city legislative body, provided such resolution is published as required in reference to an ordinance.

Name of street or district	Hours stopping, standing, or parking prohibited

SCHEDULE VI

SEC. 185. *Parking time limited on certain streets.*—In accordance with section 149 and when signs are erected giving notice thereof no person shall park a vehicle for a period of time longer than () (hours) between the hours of () a. m. and () p. m. of any day except Sundays and public holidays within the district or upon any of the streets or parts of streets as follows: ().

○

